

Minutes of Public Meeting
Committee to Study the Number of Selectmen
June 27, 2017

2017 JUL 28 AM 9:02

Room 1, Town Hall 455 Concord Avenue, Belmont

Members attending: Lynn Read, Maryann Scali, Doug John, Michael Crowley, Andrew Plunkett, Laurie Graham, Dan Halston, Debra Deutsch, Paul Rickter, Peter Whitmer, Amy Trotsky

Members Absent: Judith Feins, Ralph Jones

Others Attending: Michael Widmer (Moderator), Ellen O'Brien Cushman (Town Clerk)

7:08 PM The meeting was convened by Moderator Widmer, the appointing authority for the Committee.

Introductions Each member introduced themselves, giving name, precinct and, if appropriate, other service on Town committees

Purpose of the Committee

Moderator Widmer read the motion under Article 8 of the Annual Town Meeting that was adopted at Town Meeting, distributed to all Town Meeting Members June 19th :
MOVED: That Article 8 be referred to committee to study and recommend whether or not the Board of Selectmen should be expanded from three members. Said committee shall be appointed by the Moderator, and shall consist of a Town Meeting Member from each Precinct, and five town residents selected at large and shall file a written report of its recommendations in the Town Clerk's office, for distribution to all Town Meeting Members, by January 31, 2018.

The Motion was adopted at the Annual Town Meeting held May 8, 2017 at the Belmont High School Auditorium by Electronic Vote: Yes 192, No 67.

Mike made additional comments :

- The final product is the report to Town Meeting
- Please consider issues raised by the question, framing of the article as indicated in the original warrant article and explanation
- What should the appropriate number be?
- Focus on the analysis - Concentrate on the pro's and con's to increase to a specific number or not
- Scope of the analysis is the # of Selectmen and the role of the Selectmen, NOT the organization of our Town government, not the role of the Town Administrator
- The goal is not a unanimous decision
- Appointed one former Selectmen to the Committee, Ralph, because having that perspective will be important for context

Possible Available Data to Explore:

- Original Citizens' Petition warrant article (included in the Town Meeting Warrant for Annual Town Meeting 2017, article 8.
- Mass. Municipal Association Data (Debra Deutsch has this information from an "ad hoc" group of individuals studying the question)
- Other Towns – Selectmen experiences
- Former Belmont Selectmen
- General Bylaws of the Town of Belmont (Ellen will include the link in the minutes)
- Government Structure Review Committee Final Report (Ellen will provide this)
- Past Town Meeting Discussion/Votes on this topic (Ellen will provide this)
- Ad Hoc Committee on Town Meeting Procedures Final Report (Ellen will provide this)
- Town Organization Chart showing reporting structure (Ellen will provide this)
- League of Women Voters Report on this topic (Maryann Scali will provide this)
- List of Belmont Selectmen over the years (Ellen will provide this)

Open Meeting Law Review –

- Town Clerk Ellen O'Brien Cushman summarized the Open Meeting Law and Public Records Law for the Committee, particularly focusing on the advance posting requirement, the adequacy of the agenda, allowable reasons for executive session and the importance of minutes. She reminded members that when they took the oath at the Town Clerk's office, each was provided a quick tutorial. At that time, each member was provided with four documents: 1. 2015-03-18 Attorney General's Guide to the Open Meeting Law, the Summary of the Conflict of Interest (Ethics) Law along with a summary of steps necessary to take the online Ethics training and 2017 Guide to the Public Records Law. Each member must take the online Ethics Training and submit the certificate of completion to the Town Clerk's office within 30 days of taking the oath. Ellen emphasized that the Attorney General recommends that email only be used for logistics, not content, because of the strong possibility of a serial quorum deliberating outside the public process.
- Reservation of conference room is through the Board of Selectmen, posting the meeting is through the Town Clerk's office. Ellen will send the Chair the process used to post a meeting and minutes in Belmont.
- Many members had questions about the applicability of the Open Meeting Law relating to subcommittees or working groups versus the committee asking an individual or two to conduct an interview. All subcommittees or working groups assigned a task by the Committee are themselves considered public bodies under the Open Meeting Law and therefore meetings must be open to the public, posted and minutes provided. The latter, an individual or two members who are asked to conduct an interview or research are not considered a public body. Ellen reminded the Committee that they will be discussing an important facet of our form of government so always trying to be more open and available to the public will be important.
- Personal notes taken by a member are not public records unless they are shared with even one other person. Once they are shared, they are considered a public record, not considered private notes anymore.

Questions and Discussion by Members –

- Amy asked whether the Board of Selectmen is a Policy Board or an Operational, Working Board . Mike Widmer answered that many people have many answers on this question. The Committee should consider this question as they are researching and evaluating.
- Ellen suggested that the Committee takes a look at the General Bylaw that describes the legal duties of the Board of Selectmen as a base.
- Peter would like to concentrate on the Work Flow of the Board of Selectmen, separate from the General Bylaw.
- Debra would like to discuss the role of the Committee in terms of Public Relations and Public Involvement expectations.
- Mike Widmer replied that he expects the Committee to hold at least one public hearing, probably in the Fall of 2017.
- Laurie Graham suggested that the Committee appoint only one person to speak on behalf of the Committee to the press, not everyone. That will allow the Committee to manage the information and expectations of the public and Town Meeting Members
- Ellen recommended that the Committee tries to focus on the Selectmen Point of View AND the Community Members Point of View and to develop a questionnaire for use with all Selectmen or other communities so the interviews cover consistent items.

Election of Officers for the Committee:

The Committee discussed what officers to elect, with Mike Widmer recommending a Chair, Vice-Chair and Recording Secretary/Clerk. The Recording Secretary/Clerk job could be performed by everyone on the committee on a rotating basis if that's desirable. Ellen suggested that if it is a rotating responsibility, an advance schedule should be prepared even if it's just one meeting in advance.

The Committee members, many meeting tonight for the first time, were not ready to elect a Chair and Vice Chair yet. Then discussion of the responsibilities of the Chair/Vice Chair, combined with the willingness of only a few members to serve in those capacities, led the Committee to decide to nominate and elect.

On nomination by Laurie Graham, seconded and voted unanimously, Paul Rickter was elected Chair.

On nomination by Lynn Read, seconded and voted unanimously, Maryann Scali was elected Vice Chair.

Meeting Frequency:

The Committee agreed that summer meetings should be limited to once per month, increasing to 2+ times per month come Fall 2017, depending upon the work load. The Committee members felt that 7 PM is the right time, 7: 30 PM too late.

Next Meeting: July 18, 2017 at 7 PM

Clerk for the meeting will be Laurie Graham

Debra recommended that the 1st meeting concentrate on the following: Timetable, Work Breakdown, Who will contact the members of the Board of Selectmen

8: 35 PM Maryann Scali moved to adjourn the meeting; unanimous vote.

Respectfully Submitted,

Ellen O'Brien Cushman
Town Clerk & Recorded for the first meeting